



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/878,403	06/12/2001	Christopher Gordon Gervase Turner	02814.0050	2194

22852 7590 10/27/2003

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER
LLP
1300 I STREET, NW
WASHINGTON, DC 20005

EXAMINER

BANGACHON, WILLIAM L

ART UNIT	PAPER NUMBER
2635	

DATE MAILED: 10/27/2003

6

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/878,403

Applicant(s)

TURNER ET AL. *y*

Examiner

William Bangachon

Art Unit

2635

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 June 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 June 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Examiner's Response

1. In response to the application filed 6/12/01, the application has been examined. The Examiner has considered the presentation of claims in view of the disclosure and the present state of the prior art. It is the Examiner's position that claims 1-17 are unpatentable for the reasons set forth in this Office action:

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-17 are rejected under 35 U.S.C. 102(b) as being anticipated by US 5,686,902 (Reis et al).

In claims 1, 3, 4, and 7, a method of reading a plurality of transponders (8-x) forming part of an electronic identification system (fig. 1) also comprising a reader (7), the method comprising the steps of:

- causing the reader to lock onto a first part of a digital sequence being transmitted by one of said transponders {col.15, lines 22-26; col. 17, lines 43-53};

- causing the reader to broadcast a mute signal to mute all of said transponders not yet transmitting {col.16, lines 7-17; col. 48, lines 6-21};
- causing the reader to transmit a separate first command to cause said one transponder to transmit a remainder of the sequence {col. 47, lines 7-16; col. 48, lines 22-25; col. 12, lines 59-65}; and
- receiving and reading said remainder of the sequence at the reader {col.47, lines 17-33; paragraph bridging cols. 48 and 49; col. 44, lines 22-37}.

In claim 2, a method as claimed in claim 1 wherein upon receipt and reading of said remainder of the sequence, the reader is caused to transmit a second command to cause said one transponder to switch to a sleep mode wherein said one transponder no longer transmits any part of the sequence and to unmute the muted transponders {col. 7, lines 30-33; lines 41-50}.

In claim 5, a method as claimed in claim 4 wherein each transponder transmits the respective first parts of the respective digital sequences after respective hold-off periods after the start signal {col. 7, lines 6-16, lines 36-47; paragraph bridging cols. 43 and 44; cols. 33 and 34, step [92]}.

In claim 6, a method as claimed in claim 5 wherein the respective hold-off periods are randomly generated periods {col. 8, lines 3-12}.

In claims 8-9, a method as claimed in claim 1 wherein the first command is transmitted within a first time window after said one of said first parts has been transmitted. The second command is transmitted within a second time window after said remainder of the sequence has been read {col. 6, line 62-col. 7, line 26; col. 8, lines 12-17}.

Claim 10 recites a system for practicing the method of claim 1, further comprising;

the reader (fig. 2) comprising a controller (102), a transmitter (103-M) for transmitting signals to the transponder population and a receiver (101-M) for receiving response digital sequences from the transponder population {col. 9, line 40-col. 11, line 54};

Claims 11-15 recites a system for practicing the method of claims 2-3 and 7-9 and therefore rejected for the same reasons.

Claim 16 recites the reader of claim 10 and therefore rejected for the same reasons.

Claim 17 recites the transponder (fig. 3) of claim 10, further comprising:

a modulator (3)

a demodulator (1) {col. 11, line 57-col. 12, line 21} and

a controller (2) for the modulator and demodulator {col.12, line 51-col. 13, line 20}.

Examiner Contact Information

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to William Bangachon whose telephone number is 703-305-2701. The examiner can normally be reached on 4/4/10.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Horabik can be reached on 703-305-4704. The fax phone numbers for the organization where this application or proceeding is assigned is 703-872-9314 for regular and After Final formal communications. The examiner's fax number is 703-746-6071 for informal communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

William L Bangachon
Examiner
Art Unit 2635

October 20, 2003

MICHAEL HORABIK
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

